

Consumer Grievance Redressal Forum
FOR BSES YAMUNA POWER LIMITED
(Constituted under section 42 (5) of Indian Electricity Act. 2003)
Sub-Station Building BSES (YPL) Regd. Office Karkardooma,
Shahdara, Delhi-110032
Phone: 32978140 Fax: 22384886
E-mail: cgrfbypl@hotmail.com
SECY/CHN 015/08NKS

CA No. Applied for
Complaint No. 189/2023

In the matter of:

Ashok KumarComplainant

VERSUS

BSES Yamuna Power LimitedRespondent

Quorum:

1. Mr. P.K. Singh, Chairman
2. Mr. Nishat Ahmed Alvi, Member (CRM)
3. Mr. S.R. Khan, Member (Technical)
4. Mr. H.S. Sohal, Member

Appearance:

1. Mr. Neeraj Kumar, Counsel of the complainant
2. Ms. Ritu Gupta, Mr. R.S. Bisht, Mr. Mukesh Kumar & Ms. Divya Sharma, On behalf of BYPL

ORDER

Date of Hearing: 15th June, 2023
Date of Order: 20th June, 2023

Order Pronounced By:- Mr. S.R. Khan, Member (Tech.)

Attested True Copy

Secretary
CGRF (BYPL)

1. As per complaint, the complainant's grievance is for removal of electric panel/transformer cable at premises no. H.No. 601, DISCO compound, Bajriya Shaki Near Kotwali, GT Road, Friends Colony, Delhi-95. It is also his submission that OP without informing him installed electric panel at his premises. Therefore, he requested the Forum to direct the respondent for removal of electric panel/transformer on the vacant plot.

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2. OP in its reply briefly submitted that the complainant is seeking removal of interconnector cable between two 11 KW sub-stations which is not feasible. OP further added that complainant is not a consumer of the respondent as Learned Forum has no jurisdiction to try and entertain the present complaint. The jurisdiction of the learned CGRF is provided under Delhi Electricity Regulatory Commission (Guidelines for establishment of Forum for Redressal of grievances of the consumers and Ombudsman) Regulations 2018, Regulation 12.

OP further added that near the railway line in Friends Colony Industrial Area there exist two sub-stations of respondent company. Between two sub-stations there is a piece of land which the complainant claims to be owned by him. Through this land the underground interconnector cable connecting the two sub-stations is passing. The said two sub-stations and interconnector cable are old and have been existing since DVB period.

Prior to current demand of shifting vide letter dated 22.01.2020, complainant applied for shifting of HT 11 KV cable and sub-station fencing. At that time he claimed that he is owner of 80 sq yards of plot. Now after approximately 3 years again the complainant has sought the shifting of underground 11 KV cables on the premise that he is the owner of plot bearing new number 1/424/67 (old no. 30/67) GT Road, Friends Colony Industrial Area, Delhi claiming that said plot is of area 110 sq yards. The same plot was earlier of 180 sq yards.

For the ownership documents complainant has placed on record copy of sale deed dated 12.04.1948 which is in respect of property situated at Jhilmil Tharpur measuring 11.93 acres and 14189 yards at Kh. No. 902/364.

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The land in issue has no separate ingress and egress except for small space of hardly few feet through the substation of respondent. This further suggest that the land in issue is not owned by the complainant but is in all likelihood pertains to railways.

3. L.R. of the complainant rebutted the contentions of OP as averred in their reply and submitted that the complainant purchased the land in 1948 and all colony has been sell out and the present plot is not constructed till date due to economic problems. The complainant gave space for transformer and thereafter OP without taking complainant's permission inserted one large underground cable in his plot.
4. LR of the OP submitted that the complainant failed to prove his ownership of the land and has not submitted sufficient documents in claim of his ownership. Also, the sub-stations installed are of DVB period and since long the complainant has not claimed his ownership of the land.
5. From the pleading of both the parties and material placed on record it is transpired that the sale deed placed on record by the complainant is of the year 1948, it nowhere contains the name of the complainant. The complainant failed to produce relevant documents showing his ownership of the land in question. Therefore, we are of considered opinion that in absence of complete papers/ownership documents this Forum cannot give any relief to the complainant.

S/ *Dechu*

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Attested True Copy
[Signature]
Secretary
CGRF (BYPL)

Complaint No. 189/2023

ORDER


Complaint is rejected. Respondent has rightly rejected the application of complainant for shifting of electric panel/transformer cable.


The case is disposed off as above.

No order as to the cost. Both the parties should be informed accordingly.
Proceedings closed.

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Proceedings closed.


(H.S. SOHAL)
MEMBER


(NISHAT A. ALVI)
MEMBER (CRM)


(S.R. KHAN)
MEMBER (TECH.)


(P.K. SINGH)
CHAIRMAN

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Attested True Copy

Secretary
CGRF (BYPL)